

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

SureFunding, LLC,

Debtor.

Chapter 11

Case No. 20-10953 (LSS)

NOTICE OF DEPOSITION DUCES TECUM OF NEAL FALKENBERRY

TO: Neal Falkenberry
c/o Stanley B. Tarr, Esquire
Blank Rome LLP
1201 North Market Street
Wilmington, DE 19801

PLEASE TAKE NOTICE THAT, pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure made applicable to these proceedings through Rules 7026, 7030, and 9014 of the Federal Rules of Bankruptcy Procedure, the above captioned Debtor, by and through its attorneys, will take the deposition upon oral examination of Neal Falkenberry on **December 12, 2022, at 2:00 p.m. (ET)**, in connection with the *Noteholders' Motion for an Order Converting this Case to Chapter 7* [Docket No. 150], filed on September 27, 2022. The deposition will take place before a court reporter via Zoom or other video conferencing, will be recorded by stenographic means, may be videotaped, and shall continue from day to day until it has been completed.

DUCES TECUM

PURSUANT TO THIS NOTICE, Mr. Falkenberry is directed to gather and produce to undersigned counsel 4 hours prior to the Deposition the following documents:

1. Any and all communications, including any notes of communications, records of communications, and/or text messages to or from Jason and/or Justin Abernathy and/or Surefunding regarding or mentioning Ted Gavin and/or John Palmer since June 3, 2020.

2. Any and all communications, including any notes of communications, records of communications, and/or text messages to or from Ted Gavin, Gavin/Solomonese and any employees or personnel of Gavin/Solomonese since June 3, 2020.
3. Any and all communications, including any notes of communications, records of communications, and/or text messages to or from John Palmer and/or Tamarack Associates or any employees or personnel of Tamarack Associates since June 3, 2020.

Dated: December 9, 2022
Wilmington, Delaware

MORRIS JAMES LLP

/s/ Carl N. Kunz, III

Carl N. Kunz, III (DE Bar No. 3201)
Jeffrey R. Waxman (DE Bar No. 4159)
500 Delaware Avenue, Suite 1500
Wilmington, DE 19801
Telephone: (302) 888-6800
Facsimile: (302) 571-1750
E-mail: ckunz@morrisjames.com
E-mail: jwaxman@morrisjames.com

Proposed Counsel to the Debtor